



CANNON BUILDING
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**STATE OF DELAWARE
BOARD OF ARCHITECTS**

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, February 6, 2019 at 1:30 p.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room B Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	March 6, 2019

MEMBERS PRESENT

Bryan Hutchison, Professional Member
Robert Maffia, Professional Member
Todd Breck, Professional Member
Herbert Russell, Public Member
Laura Willey, Public Member
John Lynch, Public Member

MEMBERS ABSENT

Paul Guggenberger, Professional Member, President
Daniel Ridgely, Professional Member, Secretary

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Jennifer Witte, Administrative Specialist II

OTHERS PRESENT

Nancy Payne
William Feeney
Michael Hochman
James MacDonald
Sam Olshin

CALL TO ORDER

Mr. Breck called the meeting to order at 1:37 p.m.

REVIEW OF MINUTES

A motion was made by Mr. Breck, seconded by Mr. Russell, to approve the minutes from the January 16, 2019 meeting as presented. The motion was unanimously carried.

UNFINISHED BUSINESS

Review and Consider Final Orders

A motion was made by Mr. Maffia, seconded by Mr. Hutchison, to table the signing of the Final Orders until the March 6, 2019 meeting. The motion was unanimously carried.

NEW BUSINESS

Ratify Reciprocity Applications – NCARB Certificates

A motion was made by Mr. Lynch, seconded by Mr. Russell, to approve the ratified architect applications of Frank Colasurdo, Douglas Bothner, Charles Kirby, Stephen Hembrecht, Catherine Cherry, Ryan Nicholson, James Haley and Donald Lococo. The motion was unanimously carried.

Complaint Status

#07-01-18 – Referred to the Administrative Hearing Unit

#07-02-18 – Referred to the Administrative Hearing Unit

Review and Consider Recommendation of Chief Hearing Officer

Due to the attendance of licensees and legal counsel, Mr. Breck modified the agenda to first review the Hearing Officer Recommendations for those present.

James MacDonald, #S5-0007981

Mr. MacDonald and his attorney were present for the review of his recommendation. Mr. Hochman gave an opening statement to the Board regarding Mr. MacDonald's state of mind during the submission of audit documents as well as his educational and professional history. He added alternate disciplinary action from what was in the recommendation.

Mr. MacDonald addressed the Board apologizing for his error and lapse in judgment and asked that they give him the opportunity to prove his professionalism.

After review, a motion was made by Mr. Maffia, seconded by Ms. Willey, to accept the recommendation of James MacDonald as presented with an amendment to reduce the immediate suspension to 1 year and increase the monetary fine to \$10,000. The motion was unanimously carried.

William Feeney, #S5-0007767

Mr. Feeney was present for the review of his recommendation. Mr. Feeney addressed the Board stating that he made an error as he was confused by the continuing education requirement for Delaware as it is different than other jurisdictions that he is also licensed in.

After review, a motion was made by Mr. Lynch, seconded by Mr. Russell, to accept the recommendation of William Feeney as presented with an amendment to strike paragraph 2 and require 5.5 make-up hours be completed, decrease the monetary fine to \$2000 and an immediate suspension should compliance not be obtained. The motion was unanimously carried.

Samuel Olshin, #S5-0008139

Mr. Olshin was present for the review of his recommendation. Mr. Olshin addressed the Board apologizing for the deficiency. He stated that he has never practiced in Delaware and prior to the hearing had not acquired a professional seal which he does have and presented to the Board.

After review, a motion was made by Mr. Maffia, seconded by Mr. Lynch, to accept the recommendation of Samuel Olshin as presented with an amendment to strike paragraph 2 and require 24 make-up hours be completed, decrease the monetary fine to \$2500 and an immediate suspension should compliance not be obtained. The motion was unanimously carried.

Eric Oskey, #S5-0008127

After review, a motion was made by Mr. Maffia, seconded by Mr. Russell, to accept the recommendation of Eric Oskey as presented with an amendment to decrease the monetary fine to \$2500 and an immediate suspension should compliance not be obtained. The motion was unanimously carried

Robert Dale Fox, #S5-0007605

After review, a motion as made by Mr. Hutchison, seconded by Mr. Russell, to accept the recommendation of Robert Dale Fox as presented with an amendment to increase the monetary fine to \$3500 and an immediate suspension should compliance not be obtained. The motion was unanimously carried

Joseph Smerina, #S5-0006836

After review, a motion as made by Mr. Lynch, seconded by Mr. Russell, to accept the recommendation of Joseph Smerina as presented with an amendment to increase the monetary fine to \$1000 and an immediate suspension should compliance not be obtained. The motion was unanimously carried

Thomas Hayes, #S5-0006090

After review, a motion as made by Mr. Maffia, seconded by Mr. Lynch, to accept the recommendation of Thomas Hayes as presented with an amendment to decrease the monetary fine to \$1000 and an immediate suspension should compliance not be obtained. The motion was unanimously carried

Phillip Yocum, #S5-0005500

After review, a motion as made by Mr. Maffia, seconded by Ms. Willey, to accept the recommendation of Phillip Yocum as presented with an amendment to increase the monetary fine to \$1000, striking paragraph 2 and requiring that 8 CE's be made-up and an immediate suspension should compliance not be obtained. The motion was unanimously carried.

Danielle Evans, Organizational Change Manager with the Division, provided the Board with an update on the progress of the Divisions' new licensure system DELPROS.

Ratify Certificate of Authorization Applications

A motion was made by Mr. Lynch, seconded by Mr. Russell, to approve the ratified certificate of authorization applications of KTGy Group, Inc., Neves Architecture and Design, LLC., TranSystems Corporation, Equip Studio, Inc., JLL Architecture, LLC. and Hellmuth, Obata & Kassabaum, Inc. The motion was unanimously carried.

Review of Reciprocity Applications

After review, a motion was made by Mr. Maffia, seconded by Mr. Hutchison, to approve the reciprocity application of Ryan Fennell. The motion was unanimously carried.

Review of Direct Applications

After review, a motion was made by Mr. Maffia, seconded by Mr. Lynch, to approve the direct application of Emily McMullen. The motion was carried by Mr. Breck, Mr. Russell and Ms. Willey. Mr. Hutchison abstained.

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE BOARD

The Board briefly discussed some of the differences between the JAC handbook and the modifications that the Board made. The Board will continue this discussion at upcoming meetings.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting will be March 6, 2019 at 1:30 p.m. in Conference Room B.

ADJOURNMENT

There being no further business, a motion was made by Mr. Lynch, seconded by Mr. Hutchison, to adjourn the meeting at 3:29 p.m. The motion unanimously carried.

Respectfully submitted,

Jennifer L. Witte

Administrative Specialist II